


 Premium content from before 2018 is now available for everyone!

Independent Police Investigative Directorate 2015/16 Budget and Annual Performance Plan hearings

 This premium content has been made freely available

Police

23 April 2015

Chairperson: Mr F Beukman (ANC)

Share this page:



Meeting Summary

The Committee met to consider the budget and Annual Performance Plans (APP) of one of its entities, the Independent Police Investigative Directorate (IPID), where the Members were first provided with an introductory briefing by the Committee Researcher. The Researcher took Members through an overview of IPID's previous budget for 2014/15, and highlighted some questions for the Committee's consideration. The briefing then looked broadly at the strategic overview and policy priorities of the entity, after which questions for the consideration of the Committee were outlined. Research information was provided on a programme-by-programme analysis of the SAPS and IPID 2015/16 budgets compared to the Justice, Crime Prevention and Security (JCPS) cluster, where more questions for Members to consider were noted. The briefing was concluded by looking at key issues for consideration by the Committee.

The Committee then went straight into the presentation by IPID, where a broad overview was provided by the new Acting Executive Director. On these few points, Members discussed issues of leadership stability, updates on the Executive Director, whether these issues affected the organisation and service delivery, where the Acting Executive Director came from, and the secondment and vetting of senior leadership. Other questions were asked about practical methods to address cases of systemic corruption in SAPS, progress with the integrity strengthening and vetting units, and how cases emanating from Public Order Policing, in the light of the recent xenophobic attacks and service delivery protests, had been dealt with. Other issues of discussion centred on the capacity for training investigators, partnering with research institutions and institutions of higher learning in this regard, budget cuts affecting the work of IPID and its ability to meet its targets, reprioritisation of funds as a result of budget constraints, and unfunded mandates.

Members were taken through the budget of IPID, showing allocations over the Medium Term Expenditure Framework (MTEF), allocations per programme and economic classification, and then a specific focus on the budget for 2015/16. Members asked how far IPID was with the implementation of its expansion strategy, and concerns were raised about vacancies, the shifting of funds and risks associated with unforeseen events, adjusting operations to work within a constrained budget, issues of under-spending which seemed to be a trend continuing from last year, and issues involving the Department of Public Works.

The next programme outlined was the administration of the entity, where Members again raised the issue of the need for greater training of investigators, unacceptable vacancy rates, retention strategies, the appointment of the director of the internal audit unit and enhancement of capacity of the unit, rolling out of the Information Technology plan and decreases in allocations to corporate services, machinery and equipment. There was further engagement on the target for females and people with disabilities as employees, coordinating and liaising with other stakeholders through the consultative forum, quarterly reporting and issues of branding, signage and awareness of some offices in some provinces. This stemmed from an oversight trip taken by the Committee to Mpumalanga, where the Committee had struggled to find the IPID offices in Nelspruit. Also from the oversight trip were concerns of the lack of a relationship between IPID, the Civilian Secretariat for Police (CSP) and the Member of the Executive Committee (MEC) in the province, and issues relating to the new provincial head that appeared still to be tied to matters from a previous employment position.

The investigation and information management programme purpose statement was outlined, and Members sought more information on the National Specialised Investigative Team (NSIT), the determination of trial-ready cases, the lack of state pathologists delaying progress on cases, problems with quantifying some targets -- where it seemed as if some targets anticipated that crimes would increase (which Members found irrational and worrying) -- the number of firearms in IPID, the number of firearms lost, and why no senior managers of IPID were present at the Committee's Firearm Summit. They referred to the decrease in the number of complaints laid by the public, which pointed to a lack of trust in IPID, with the public preferring to go the civil litigation route, and wanted to know how this would be addressed. One of the key points of discussion in this programme was the decrease in targets for key functions of the Directorate, like investigating deaths in police custody. Members found this unacceptable or something that could not be justified to the families of the victims. It was felt that some functions should be prioritised over others or be weighted when there were issues of budget or resource constraints. There were concerns this could create a backlog, so resources in relation to the budget needed to be reworked for the targets to be 100%.

The next two programmes presented were legal services and compliance monitoring and stakeholder management, after which the Committee discussed engagement between SAPS and IPID. This focused on finding agreement around the understanding of initiating disciplinary proceedings in terms of section 30 of the IPID Act, harmonising discussions about SAPS complying with IPID recommendations, and the possibility of IPID appealing SAPS decisions. Other points of discussion centred on reasons for decreasing the target of community outreach programmes, and whether the decrease was linked to budgetary constraints, satellite offices in provinces and the importance of managing relationships with Parliament and the Committee as a key stakeholder.

Meeting report

Committee Researcher Briefing

Mr Thembani Mbadlanyana, Committee Researcher, briefed Members on his analysis of the 2015 Independent Police Investigative Directorate (IPID) budget. The presentation began with an overview of the previous financial year (2014/15) of the entity in terms of budget and spending, thereafter raising questions for the Committee's consideration.

The presentation went through a strategic overview of the Directorate and its policy priorities before again raising questions for the Committee's consideration. Other issues for Members to consider related to IPID's 2015/16 budget allocation in relation to the Justice, Crime Prevention and Security (JCPS) cluster.

This was followed by an analysis of the Directorate's four programmes -- administration, investigation and information management, legal services and compliance monitoring and stakeholder management. After each section there were questions for the Committee to consider, before concluding with key issues overall for the Committee to consider.

IPID Strategic Plan 2015-2020, Annual Performance Plan and Budget 2015/16

Chairperson's Introductory Comments

The Chairperson said that this was a continuation of the Committee's budget hearings. The Speaker of the National Assembly had released a statement this morning that priority should be given, within the next two weeks, to constituency work unless there were pressing matters for Committees to process. In the case of this Committee, it still needed to process the budget hearing of the Civilian Secretariat for Police (CSP) on Wednesday, so this was a priority. The budget of the Private Security Industry Regulation Authority (PSIRA) would be dealt with by the Committee tomorrow at 09h00. The CSP would also brief the Committee on their implementation plan in terms of the recent xenophobic attacks. On 6 May 2015, the Committee would adopt all four budget reports (for the Department and its entities). The Committee's budget vote would be on Friday, 15 May 2015 at 10h00, so all budget reports would have to be processed before then. Members would need to plan around these dates.

The focus today, as it had been with the recently finalised SA Police Service (SAPS) budget hearings, would be on performance and issues of leadership, as well as the contribution to a safer SA where all people felt and were safe.

The issue of police corruption was also very important – recently, the arrests of high ranking officials had been seen in the Western Cape by the Hawks. There were also other incidents of deep concern, so part of the hearing would be to ascertain what progress IPID was making in this field, especially in terms of systemic corruption. During an engagement last year, IPID had indicated it would send the Committee a document outlining a finalised systemic corruption strategy. At the end of January 2015, the Department had provided feedback to the Committee on the Budgetary Review and Recommendation Report (BRRR), and the Committee had also made an unannounced visit to IPID’s Nelspruit office in Mpumalanga (this report would be adopted by Members in two weeks’ time). The Committee had also, within the last month, received two letters from suspended IPID Executive Director, Mr Robert McBride, asking to address the Committee on matters relating to the rendition. The Committee had declined these offers because it would have been inappropriate, considering that the SAPS Lt. Gen. Anwa Dramat matter had now gone in a different direction. The Committee would need broad input on these issues from the Acting IPID Executive Director in terms of processes – the Committee needed to be clear on the *modus operandi*.

Presentation Overview

Mr Israel Kgamanyane, IPID Acting Executive Director, took the Committee through an overview of the entity’s annual performance plan (APP) and budget, noting that the National Development Plan (NDP) envisioned that in 2030, people living in SA would feel safe at home, school and work, and would enjoy a community life free of fear. In line with this vision, the strategic outcome-orientated goals of the IPID were linked to outcome three and 12, as identified and adopted by Cabinet in January 2010. The Directorate’s key priority over the medium term was to strengthen its investigative capacity by improving the quality of training for investigators, as well as the guidelines, systems and procedures used for investigation and reporting. There was no real increase in the budget because of a budget cut, so strategic priorities were being funded through reprioritisations, from goods and services to compensation of employees. The envisaged IPID expansion strategy was not funded over the Medium Term Expenditure Framework (MTEF) period. Other unfunded priorities included the information communication technology (ICT) improvement plan, and reduced public awareness programmes. The identified strategic priorities for 2015/16 for IPID included the establishment of the National Specialised Investigation Team (Protection Unit), training and capacity building of investigators, attaining an unqualified audit, and to identify and investigate systemic corruption cases.

Discussion

The Chairperson said that leadership instability affected the organisation and service delivery and in this regard, the Committee needed the assurance that measures were in place to ensure the institution would perform in terms of the allocated budget. With systemic corruption in the police, the Committee thought it was vitally important that IPID displayed its successes, and although it was noted that during an engagement last year that the Directorate had said capacity was being developed, he wanted to know what practical steps were being taken to tackle police corruption this year.

Mr Kgamanyane said he thought it was human nature that when there were changes, it took time for people to accept them, but it all came down to management. Fortunately, he had been within the Department, originally in the Free State, where he had the provincial head from as far back as 2002. He had previously been the department since its inception in 1997 as an investigator, so he had gone through all the ranks within IPID, from middle to senior management. The Minister had addressed senior managers of the department to ask them to give the Acting Executive Director their support so that stability and unity could be maintained. When he went around to the provinces, he had emphasised this particular issue -- the need for loyalty to one’s work, the organisation itself and to SA as a country. This was the message being carried so that the prevailing issues did not affect performance. The office in the Free State was performing well, and he was extending this to the national office. There were mechanisms in place to monitor issues of performance according to the budget through various committees, including responsible managers and provincial heads. The budget needed to speak to output on a monthly basis. IPID had put some basic structures in place in order to deal with corruption, like up-skilling investigators, which was an ongoing matter. The entity was also dealing with high profile cases.

Mr Matthews Sesoko, IPID Chief Director: Investigations and Information Management, said that with issues of corruption, it was important to note that IPID had already begun investigating a number of cases of systemic corruption after they had been identified by provinces. Some of the cases had already gone to the Director of Public Prosecutions to make a decision, while others were still under investigation. Because of the nature of these cases, the investigations were very intense and required substantial resources. At times there was collaboration with other institutions like the Hawks and police intelligence in order to make a break-through. For instance, arrests had recently been made in Gauteng on corruption matters. Cases systemic in nature took quite a while to conclude because of their nature and extent. While capacity was still being built, something was being done and where it was felt skills were lacking, other institutions were roped in for assistance.

The Chairperson asked how many cases were currently being dealt with.

Mr Sesoko could not provide the exact number, but currently there were in excess of ten cases of systemic corruption under investigation. The exact number could be provided.

Ms M Molebatsi (ANC) asked if IPID was dealing with cases emanating from the Public Order Policing (POP) environment, especially in the light of the recent xenophobic attacks and service delivery protests. Last week, the Committee had been briefed by the Institute for Security Studies (ISS) and the issue of trust had arisen -- how communities did not have trust in the police anymore, and this had resulted in cases not being reported to the police. What was being done by IPID to address this serious defect?

Mr Kgamanyane said that POP matters were reported and classified as assault cases – the exact number of cases could be reported to the Committee. With the issue of loss of trust in the police, IPID was there to assist SAPS in the transformation process so that the community could have trust in SAPS. This was why cases were dealt with independently and without fear or favour, and cases were investigated as and when they arose. These were indicated to SAPS management through reports when disciplinary measures were to be taken, or to the National Prosecuting Authority (NPA) when criminal proceedings were to be implemented.

The Chairperson said that the Directorate would still brief the Committee on the entity's programmes. The current discussion was just an opportunity for Members to ask questions relating to the broad overview.

Ms L Mabija (ANC) asked about the training capacity of investigators and if the Directorate had any plans to partner with research institutions and institutions of higher learning to work towards realising this objective.

Mr Kgamanyane indicated that investigation certificates were obtained through the Services SETA, along with national diplomas in policing. There were also partnerships with SAPS to send middle managers through detective training courses in Paarl. This project had been going on for three years.

Mr J Maake (ANC) asked how seriously the budget cuts affected the operations of IPID.

Mr Kgamanyane said that obviously budget cuts would affect operations, which was why there had been reprioritisation to do more with the smaller budget. The entity could not just fold its arms and do nothing about the budget cuts.

Mr L Ramatlakane (ANC) wanted to know if reprioritisation was coming from key strategic programmes, superfluous activities or current requirements that had not been met in the previous financial year. What was meant by an unfunded mandate for public awareness – did it mean it was not the responsibility or mandate of the Directorate? He sought a comment by IPID on building confidence in communities, for them to come forward and report cases of police brutality.

Mr Kgamanyane explained reprioritisation was needed to put some objectives before others, to try to do more with less. Regarding the unfunded mandates for public awareness, because of the reduced budget, the number of campaigns had been reduced and there was no other option. IPID was still going out to the communities to market itself, especially in rural areas, to increase the confidence of the community to come and report cases. As and when complaints and allegations arose, they were investigated before a finding was made as to whether the allegations held substance or not.

Mr Z Mbhele (DA) was curious about the Acting Executive Director's recent occupation. Where had he come from in order to fulfil this position, and was the secondment a ministerial one or the usual HR process?

Mr Kgamanyane said that in the Minister's letter of appointment, his experience and qualifications had been considered. Presently he had a B. Tech Diploma and a post-graduate diploma in labour law. He was currently completing his thesis for his Masters Degree in Forensic Investigations and Public Administration. People forget that he had contested for the post of Executive Director, and he was the only internal candidate who had been short-listed. This fact, combined with his experience, showed that in itself he had the experience and qualifications for the post.

Ms D Kohler Barnard (DA) sought an update on the Robert McBride matter and how much longer it would be until he reappeared. Was there any indication, now that the Acting Head of the Hawks had been unable to provide the North Gauteng High Court with a shred of evidence about the so-called Zimbabwean renditions and had been excoriated by the Judge, which meant Mr McBride should have been here today? She also wanted the opinion of IPID on SAPS members who had very strong cases against them with involving the harshest of brutality, and which had been dealt with merely through internal disciplinary hearings. Maybe the recommendations of IPID that the case went to court had been swept under the carpet, and instead they had just been given a slap on the wrist. She was very aware of how IPID had been undermined by SAPS over the past decade, and she feared this was still continuing.

The Chairperson thought it would be more appropriate to invite the Minister, as Executive Authority, to brief the Committee within the next few weeks.

Mr Kgamanyane said the McBride matter was with the Minister, as the Executive Authority, and he had no say in the particular matter. All he had been asked to do was to assist as Acting Executive Director, and to ensure that IPID ran smoothly and there were no interruptions and distractions. This was what he was doing. With regard to the SAPS cases, one of the cases was currently on trial.

Mr A Shaik Emam (NFP) said he also served on the Appropriations Committee, and many entities and departments had developed unrealistic targets for 2030. Were the targets set by IPID for 2030 realistic and achievable, given the challenges it faced and the situation of crime now getting out of hand? Would the lack of an increase in budget hamper the entity in achieving its targets?

Ms Lindokhule Ngcongco, IPID CFO, said the Directorate received a baseline reduction for the upcoming MTEF period against the background of a deteriorating economic outlook and limited fiscal space available to government. What IPID had done in the light of these reductions was to look deeply within the allocation to see how it would still be able to deliver on its mandate and do more with the limited budget in terms of the mandate. For example, for the 2015/16 allocation, which had been R247.2 million and was reduced to R234.7 million, IPID aimed at reducing inefficiency and waste so that whatever was funded in the baseline were key strategic priorities operating cost effectively. There had been a decrease on non-essential goods and services as well as identified non-committed resources, to do more with a smaller budget. IPID had tried to limit the effect of the decreased budget on frontline service delivery to the public. In this space, it had looked at efficiency and capacity, so it had created critical positions to ensure that service objectives were met and to increase operational efficiency to realise savings in operational costs. IPID had been able to work more smartly with the decreased budget in order to still deliver the services to the public.

Ms Molebatsi asked if the Acting Executive Director had been vetted, along with all the other directors at head office.

Mr Kgamanyane said he had been vetted since he joined IPID (then the Independent Complaints Directorate) in 1997 at a top-secret level, and this had been renewed every four years by the State Security Agency (SSA). Up until today, he had an updated vetting clearance certificate, having been renewed three or four times, if he was correct. In each of these processes, he had gone through polygraph tests. Managers had also been vetted at the top-secret level, and some had also been vetted since 1997 up until today. There were monthly status reports stating when an individual had been vetted, when the clearance expired and when it had been submitted to the SSA. In terms of the IPID Act, anybody who came on board would need to be pre-screened before being vetted – no one was appointed without pre-screening by the SSA.

Mr Ramatlakane asked if the reprioritisation of funds came from non-essential posts or services, instead of the mandate.

Ms Mabija wanted more detail on whether the integrity strengthening unit and vetting unit were operating optimally and effectively as planned. What were the challenges faced of aligning this unit to the system of the Directorate?

The Chairperson questioned the integrity testing and vetting, noting that this was a problem, judging by reports he had read, in the management of departments. How would the Executive Director address this?

Mr Kgamanyane said personnel in the integrity testing and vetting unit had just started, on 1 April. This particular function had previously been dealt with by the security component at the head office, but it had now been moved to the Office of the Executive Director. There were very capable and experienced members in these units who were very innovative and creative.

Estimated National Expenditure (ENE) Budget Allocations

Ms Ngcongco took the Committee through the budget of the entity, noting that the Directorate's key priority over the medium term was to strengthen its investigative capacity. This included improving the quality of training for investigators and the guidelines, systems and procedures used for investigation and reporting. The Investigation and Information Management programme, where the Directorate's investigative functions were executed, would receive the bulk of the Directorate's medium term budget allocation. Investigation was a labour intensive function, and therefore more than 70% of the Directorate's medium term spending would be on compensation of employees. The increase in compensation of employees would provide for a National Specialised Investigative Team (NSIT), which would provide protection and specialised investigations. For skills development, spending over the medium term was mainly directed towards the development of specialised investigative skills through the establishment and operationalisation of the NSIT. To improve the quality of training for investigators, the Directorate would incorporate training on specialised investigations, such as systemic corruption, into its training manual for investigators.

Expenditure over the MTEF period had increased from R153.5 million in 2011/12 to R234.8 million in 2015/16 at an average annual rate of 34.6%. Over the medium term, expenditure was expected to grow to R259.9 million at an average annual rate of 9.6% due to enhancing capacity in support services and increasing the investigative capacity and access to the Directorate's services.

Ms Ngcongco then looked at the budgetary baseline allocations to the entity over the MTEF from 2015 to 2018 -- the budget for each of the programmes and budget per economic classification, where the bulk of the budget was allocated to compensation of employees.

Discussion

Ms Molebatsi wanted to know how far IPID was with the implementation of the expansion strategy and the ICT plan. She also sought an explanation of the ring-fenced funds for the NSIT. Programme two had the biggest chunk of the allocated budget, yet had a high vacancy rate – how would one reconcile the two?

Ms Ngcongco said that unfortunately funding could not be secured for the envisaged IPID expansion strategy during the 2015 budget processes. However, the entity would continue to submit its requests for the 2016 budget processes, and hopefully the government would then have the ability to fund this key priority in terms of the accessibility of operations. With the ICT plan, 2014/15 was the first year for implementing the plan and this would be done over a three-year cycle. Unfortunately, 2015/16 had received the baseline cut, so there had been reprioritisation within the ICT plan for 2015/16 from savings realised in the 2014/15 financial year. Some activities had been frozen in the outer years to allow for an improvement in future funding implications.

Ms Nomkhosi Netsianda, IPID Chief Director: Corporate Services, said that with regard to the vacancies, at the end of the financial year there had been 38 vacant positions out of 268 in programme two. This situation would improve, as a comprehensive recruitment plan had been put together to fill all the vacant positions in the department. The vacancy rate had dropped from 23.5% during the financial year to 14%, and this position had further improved, as many officials had assumed duty on 1 April. Members would have noticed these positions were all advertised in newspapers.

Ms M Mmola (ANC) asked for clarity on the shifting of funds. How did IPID plan to increase the quality of training for investigators? Which institutions of higher learning would it partner with in this regard?

Ms Netsianda said that IPID had partnered with the Universities of Stellenbosch and Pretoria to develop a unique qualification, which was IPID-specific. The results of this meeting would assist the entity going forward to ensure entry-level investigators at least had a specific qualification.

Ms Mabija questioned how the Treasury budget reductions would affect the operations of the Directorate.

Mr Ramatlakane asked if the budget increase for the compensation of employees was informed by additional personnel, or unforeseen issues affecting the normal compensation of employees.

Ms Ngcongco indicated the increase was for additional positions, but the budget was tight because the structure had been fully funded. These additional posts were in NSIT, and were to increase provincial capacity.

Mr Mbhele wanted to know where IPID was in terms of addressing issues of under-spending, which had cropped up continually last year. What was the status quo which prevailed at the end of the last quarter in terms of vacancy rates? Was this a trend which would come down over the coming year, and what was being done to address it?

Mr Shaik Emam was concerned by the serious challenge of under-spending right up until third quarter, followed by what he saw as “fiscal dumping” in the fourth quarter, where a great portion was due to be spent to align the budget. This under-spending was way too low, so how could this be justified?

Ms Kohler Barnard noted that everywhere there were issues involving the Department of Public Works (DPW), and she was interested to hear the input of IPID's experience with that Department. Was the systemic corruption strategic document finalised and if so, where was it?

Ms Netsianda said IPID had a Memorandum of Understanding (MOU) with DPW which it entered into with all client departments. The MOU regulated the responsibility of DPW as the custodian of all government facilities, as well as its responsibilities as the client department. The DPW had assured the Directorate that should anything happen, they would be accommodated and would not be locked out. However, this matter was still in court.

The Chairperson understood the CFO's argument in terms of dealing with the machinery issue at the end of the financial year when the entity may have had some funds available, but what about the risk this presented in the next years of the MTEF? If personnel moved or there was attrition, how would IPID ensure new people had the necessary tools? The Committee's analysis was that IPID would not really have the funds to roll-out the NSIT, so how would those machinery requirements be funded in the outer years of the MTEF?

Ms Ngcongco said ring-fencing came from the manner in which IPID had received the allocations for the 2015/16 financial year. It had started with the initial baseline allocations and even though there had been reductions, Treasury had said the critical capacity for NSIT must be developed for implementation. There would also need to be savings in goods and services, or the machinery and capital assets budget, in order to deliver on strategic priorities. NSIT would still be implemented, even though there was a reduced baseline budget, and this was why there was a shifting or movement of funds away from areas like goods and services and machinery to create the critical capacity within NSIT. This did impact the outer years, especially on the ability to replenish, for example, critical resources which would be been depleted by then, and the creation of posts. Once it had demonstrated the ability to spend, IPID would appreciate assistance in increasing the baseline allocations to accommodate the outer years. The worst case scenario was to monitor the movement of existing assets to allow them to be transferred to other positions so as not to deplete them completely.

Mr Ramatlakane asked what IPID would do if it ran into serious trouble. Would it come with some type of virement, or what would be done?

Ms Ngcongco said that IPID had received its allocation while still working in 2014/15, and by this time it had known what would be needed in terms of resource requirements, as plans for the MTEF had already been drawn up. There had then been the financial turnaround strategy, where key investigative and capital equipment and specialised vehicles had been identified to still operate in the short-term. If there were unforeseen, critical issues, the entity would have to identify any savings realised for funding within its capital assets.

Mr Ramatlakane asked if there were savings, and if had IPID already projected what it would need in the next three years, including personnel, additional posts, office accommodation, computers etc -- that these items had already been purchased and were in the storeroom -- was this how IPID had operated with this particular budget?

Ms Ngcongco said savings were not that substantial and the entity could not operate in that way especially with resources which depleted with time, like IT infrastructure. Only short term items could be funded. The decreased budget posed a risk to the ability for funding capital infrastructure, especially in the outer years. Recruitment for priority positions for the coming year had already been done so they already had the equipment and resources needed, but there was still a risk with the outer years. It was hoped that additional baseline allocations would be received to fund the outer years more effectively than was done currently.

Mr Ramatlakane took note of the goods and services item drastically declining across all programmes. He wanted the assurance that the Directorate would not run into trouble with this particular line item, particularly for investigators. Did IPID think it would manage and if not, what would they do? Some matters could be predetermined and managed as such, but what about those that could not be, like investigations?

Mr Mbhele was thrilled to hear about the partnerships for the recruitment of candidates, but asked why it was specifically with the universities of Stellenbosch and Pretoria. Was this due to a lack of pilot programmes, and once this was established, more universities would be added?

Ms Mmola noted that her question was still outstanding -- which institutions would IPID be partnering with?

Mr Sesoko said IPID had looked at what institutions could offer in terms of its mandate, and which showed a willingness to develop a curriculum aligned to the work of IPID. It was not a done deal with these institutions, but they were the two that had shown willingness.

Ms Ngcongco said that non-critical services had been reduced, which included items such as consultants, contractors, travel and subsistence, to try to limit items which would have a material impact on front-line service delivery. Travel and subsistence was concerning because, unfortunately, the planned IPID expansion strategy aimed to increase geographical coverage in terms of accessibility of services and the ability to access or be present at reported scenes, in order to get the majority of evidence to get a successful prosecutable case. This was compounded by the pressures of baseline reductions, where Treasury even outlined that travel and subsistence had been reduced. Efficiencies had then been introduced in terms of how investigations were done to still reach outlying areas even though there were budget constraints. 2015/16 would be a tough year for IPID, but it would have to work smartly and be efficient in everything it did in line with the cuts.

Mr Ramatlakane asked about the investigations method – whether it involved travelling and staying overnight if it was needed, and would communications be done through email? He wanted to understand this method better, because the work of IPID followed the police which was fairly scattered. Its footprint was not as wide as the police's, which meant there would be a lot of travelling.

Mr Sesoko explained that IPID had looked at what operational methods could be introduced to work more efficiently with less movement across provinces where possible, to minimise subsistence and travel costs. An example was to have someone who was, for example, from Welkom working in that area and he had to come into the office only once a week or so.

Ms Molebatsi questioned if this was not opening the investigators up to corruption.

Mr Sesoko clarified that IPID identified an office in the area with partner departments to provide office space --for example, at a legislature in Mpumalanga, where office space had been provided for people to operate from. A person did not necessarily work from home, but from the closest office provided in the locality.

Mr Ramatlakane understood what was being explained, but how would the downside be managed if personnel were scattered? How would this affect supervisors, or was it seen as a more effective way of working in terms of management?

Mr Sesoko said that in terms of management, there were weekly meetings every Monday, even for those in the outlying areas, to look at targets achieved, challenges and directives, and for all investigators to report on weekly plans. A way forward was then mapped out with supervisors in terms of dealing with the challenges and work for the coming week. During the week, there was regular consultation with the supervisor.

Mr Ramatlakane wanted the Committee to be provided with information about where work had already been decentralised and which offices/provinces were already involved, because this affected Committee oversight.

The Chairperson agreed because from the perspective of the Committee and management, it was not the best process, although the budget challenges were understood.

Programme One: Administration

Ms Netsianda took the Committee through the programme, noting that its purpose was to provide for the overall management of the Directorate and support services, including strategic support to the Directorate. The departmental management sub-programme provided for strategic leadership, overall and management and strategic reporting to the Department and ensured overall compliance with all relevant prescripts through executive support, as this component provided strategic support to the Executive Director of IPID. It also provided administrative, logistical and secretariat services and coordination of activities of the Office of the Executive Director. With corporate governance, the focus was on monitoring and evaluation of departmental performance and reporting on the attainment of strategic objectives. It ensured constant assessment of high quality management practices as a mechanism for

enhancing the ability of the Department to deliver on its core mandate. It also provided risk and ethics management services and ensured compliance with laws, regulations and other prescripts. The integrity management component was responsible for integrity testing of IPID officials as provided for in Section 22 (3), (4) and 26 of the IPID Act. Security management provided for the security management services by developing and supporting the implementation of security policies, systems and procedures. It provided access security, information security and physical security and monitored the implementation of information technology policies based on minimum information security standards, minimum physical security standards and the Occupational Health and Safety Act.

The next sub-programme was the internal audit, which provided assurance and consulting services by conducting compliance audits, performance audits and facilitating internal forensic investigations. Within this sub-programme was finance and finance services, and supply chain and asset management.

Within the corporate services sub-programmes there was the human resources management and development services component, information communication technology, communication and marketing services and auxiliary services, and office accommodation.

Ms Netsianda then explained to Members the strategic objectives, objective statements, baseline and strategic targets for the programme where output targets for the budget year and MTEF period and key programme performance indicators were highlighted.

Discussion

The Chairperson referred to the input provided by the Police and Prisons Civil Union (POPCRU) regarding IPID, which had been made during an engagement between the Committee and civil society in preparation for the budget of SAPS and its entities. The union had welcomed greater training planned for investigators which would assist in the fight against crime, but POPCRU's view was that IPID was failing to fill funded positions, which was compromising service delivery. A 14% vacancy rate was not acceptable and the Committee needed assurance that these positions would be filled. The internal audit was also a problem, as highlighted by the Auditor-General (AG), and the Committee needed assurance that this issue had also been solved. The Committee had received reports of problems with the appointment of the director of the internal audit unit, and assurance was also needed that all relevant procedures had been followed, and if they had not, there must be proper investigation to be reported to the Committee. A compromised internal audit would affect early warning systems around the financial management of the entity. He also asked what the ICT unit would do if the ICT plan/strategy was not rolled out in the next three years.

Ms Netsianda agreed that a 14% vacancy rate was high, and that was why the Directorate had put together the recruitment plan to ensure all positions were filled by June 2015. There were dates in place, the recruitment plan was in place, and the panels had been established. Critical positions, like the provincial heads, had been filled. Candidates who had accepted offers would assume office on 1 May 2015. With the appointment of the director of the internal unit, the lack of capacity identified had been with regard to the training of individuals within the internal audit unit. However, the training needs had been identified and the budget had been allocated for these personnel to undergo training. The recruitment process to appoint a director of the unit had been followed according to public service regulations and the recruitment policy of IPID, and the Acting Executive Director would look into any irregularity in this particular appointment. With the non-funded ICT plan, there would be general ICT support through the help desk, maintenance of existing equipment, network points etc. All it meant was that some of the ICT programmes targeted for rollout, like the electronic document management system, could not be implemented due to budget constraints, otherwise general ICT support continued.

Mr Kgamanyane added that with the vacancies, this was a personal priority, and that was why Members would see adverts in the newspapers, like the Sunday Times. He explained why the recruitment plan had been established for monitoring over three months. The issue of the director of the internal audit unit had been discussed by the internal audit committee, where he had been briefed that the recruitment processes had been followed to the letter. In order to ensure nothing had been hidden, he had asked the Chief Director of Legal Services to appoint an investigator to deal with this particular matter, and the report would be provided to the Committee.

Ms Molebatsi sought an explanation on the decrease in the allocation to corporate services in 2015/16. In the 2014 BRRR, the Committee had recommended an enhancement of the internal audit's capacity, but this had received a reduced allocation in the current financial year – would the Committee's recommendation be implemented with the reduced allocation? Where would the increased staff be placed?

Ms Netsianda said the decreased allocation was because of the general cut in the entity's budget and the need to capacitate core business, which was investigations, and other priorities of the entity.

Ms Mmola asked if the 50% goal for training was enough for realising IPID's strategic objective. She noted the entity had 1.3% of disabled employees, and asked how many this was in actual figures. What was meant by 50% training of officials – why was this target 50%, and not 100%?

Ms Netsianda indicated the entity had had 0.6% of employees who were people with disabilities. This amounted to only three individuals, but now it had recruited two more individuals, which brought the total to 1.4%, or five individuals. IPID looked forward to meeting and exceeding the 2% target. There was employment equity in place, where specific positions were targeted for particular groups, and it would recruit to fill them.

Mr Maake (was interested in the 50% target for females employed at senior management level. He understood this to be a minimal target, so why was IPID aiming to maintain the target instead of improving it?

Ms Netsianda explained the entity had 14 chief director positions where there were seven males and seven females, and with the director posts there was also a 50/50 gender spread currently. There would be more appointments of senior managers and chief directors. She accepted that the target could be exceeded and in this, IPID hoped to implement the approved employment equity plan.

Mr Kgamanyane emphasised that the targets for the employment of females and people with disabilities was a minimum, or "at least" target, not a definite target. IPID needed to ensure these targets were exceeded, but having a 50/50 gender spread at senior management service (SMS) level was an achievement.

Mr Mbhele questioned the coordination role of this programme in liaising with stakeholders and other relevant role-players, and asked how far IPID was with the initiation of the routine meetings with the consultative forum. This issue had also come up a few times last year.

Mr Kgamanyane said a launch had been held in Cape Town on 6 March 2015, which the Committee Chairperson had attended. A schedule for all the meetings had been drafted by his office for the whole financial year. There was still an outstanding meeting between himself and the Secretary of Police which would take place once she was back in the country, and then the scheduled dates could be agreed on.

Mr Sesoko added there was a requirement for there to be monthly and quarterly meetings between IPID, SAPS and the CSP. There should also be interaction at a provincial level with the MEC. There was a concern that some of the provincial meetings were not happening as they should because of the unavailability of other stakeholders, so he would establish exactly what was going on and intervene.

Mr Shaik Emam found that quarterly reporting did not work because by the time one received the report of the first quarter, it was already the third quarter and then soon the year was gone. This was the pattern across departments. Better mechanisms needed to be in place for monitoring in this regard.

Ms Netsianda clarified that the reports would be submitted monthly, which amounted to three reports quarterly and 12 in a year.

Mr Ramatlakane wanted to know why some of the indicators had been targeted only for the last quarter – what was the rationale behind this? He also questioned why vacancies were targeted for being filled in 12 months, when Treasury had stipulated it should be done in three.

Ms Netsianda said that recruitment processes were ongoing, but the entity wanted to ensure very low vacancy levels were maintained. People came and went, so to assess how things were going, it made sense to consolidate on an annual basis. Attempts were made to fill positions as soon as they became vacant.

Ms Molebatsi wanted to know if IPID had a retention strategy. There had been no allocation for machinery and equipment under payments for capital assets, and she sought an explanation for this.

Ms Netsianda said there was an approved retention policy to retain and attract talent within IPID. With the budget for machinery and equipment, the CFO had already said that due to limited funding, procurement of most of the resources and equipment had already been done during 2014/15 to last for the next 12 months for the positions which would definitely be filled.

Ms Mmola noted her question of why 50% training of officials was the target was still outstanding.

Ms Netsianda explained the target was reliant on the availability of resources, as the Directorate was trying to be as realistic as possible on how far it could go with the available resources. 1% of the total budget was to be used for the skills development levy, so this budget was spread through the skills development plan, which informed the 50% target.

Mr Ramatlakane noted that with the filling of vacancies per quarter and it being an ongoing process, giving percentages and not numbers made Committee evaluation of IPID performance very difficult. He suggested this be reworked and for Members to be provided with actual figures before it was accepted.

Ms Netsianda said that the total number of positions was 414, and 73 posts were vacant. All these positions were in the recruitment plan which had been alluded to earlier by the Acting Executive Director, meaning that if all 73 posts were filled, IPID would have a 100% staff complement with no vacancies. However, this was impossible because officials came and went, but maybe the vacancy rate could be targeted at 5%.

The Chairperson said that when the Committee had conducted oversight in Mpumalanga, the office of IPID in Nelspruit could not be found, which raised issues of signing, branding and public accessibility. Serious problems had also been experienced during this visit, and the Committee had got the impression there was no day-to-day hands-on management, as it appeared that some provincial heads still had one foot in previous positions. One of the investigators had also raised the problem of being unable to obtain leave for some time, and the Committee had been concerned by this. There should be a proper programme of visits by head office to the provinces. Another major issue of concern had been the non-existent relationship between the CSP in the province, the MEC and IPID. This was serious, because a close relationship was needed to ensure there was interaction.

Mr Sesoko said the province head appointed in this case was a former magistrate, and some matters stemming from this work had still needed conclusion. The arrangement was that when the dates for when the matters would need to be dealt with were communicated, leave should be requested to attend to them. He understood that most of the matters had been concluded and the absence of the head had at the most been three days. In the absence of the provincial head, there was always a capable acting head in place, who was the director of investigations in the Mpumalanga province, to ensure work continued.

Ms Molebatsi added that on the oversight to Mpumalanga, Members had been told of a police station where there were high levels of rapes in custody, and she asked IPID to follow up on this. It was always noted on TV by the IPID spokesperson that with certain matters, “no stone was left unturned,” but how could the communities be sure of this?

Mr Kgamanyane said he would look into this particular matter.

Mr Moses Dlamini, IPID spokesperson, highlighted that many of the IPID offices were branded. However, not all of the offices could be branded because the entity did not own the buildings, so the landlords prevented signage being put up. For instance, in Mpumalanga, Gauteng and Durban, IPID offices were located in high-rise buildings where the landlords refused signage. In other offices, such as in the Free State, Rustenburg and Limpopo, there was branding of IPID offices through signage outside, on the windows and inside the building. Despite these challenges, IPID was ready to brand all its offices, but it was exploring other ways. The approach to profiling IPID was to communicate arrests of police officer/s for offences, and when they would be appearing in court. If there was conviction and then sentencing, there would also be communication of this. IPID was a small department – other departments actually bought space in the media to communicate. Other steps had also been taken to increase the awareness of the organisation, like branding of taxis country-wide, advertisements on TV on the work and mandate of IPID at metro-rail stations, which was successful. Community and commercial radio was used to communicate messages to ensure the public knew what IPID did.

Programme 2: Investigations and Information Management

Mr Sesoko said that in order for IPID to contribute constructively towards the objective stated in chapter 12 of the NDP and the IPID ultimate outcome of a “police service that was trusted by the community and operated in line with the Constitution”, IPID had constructed programme two in a way that it could impact positively on the stated government priorities. To this end, programme two had revised its strategy on the investigation of cases, to improve performance and enhance the quality of investigations. The focus for the 2015/16 financial year was to ensure quality investigations that were decision-ready, which meant a move away from 90-day completion targets. The outputs in this strategic plan would go a long way towards supporting the NDP imperatives. The Directorate had been engaging with SAPS/Municipal Police Services (MPS) and the Secretary of Police to improve on SAPS and MPS compliance with regard to their obligations on recommendations made by IPID. There would be a focus in the MTEF period to increase the number of cases where there was prosecution of cases, both in criminal and disciplinary cases. The programme was made up of investigations management, investigation services and information management.

Mr Sesoko then took the Committee through the outputs (strategic objectives), indicators, reporting period and target for 2015/16 for the case management system, decision-ready cases finalised and recommendation reports generated and referred.

Discussion

Mr Mbhele sought more information on exactly what the NSIT’s role was within the operational framework.

Mr Sesoko explained that the NSIT was the National Specialised Investigation Team operating from the national office. The idea behind its development was to deal with cases of systemic corruption or cases which needed specialised investigation. Even the recruitment of people to be part of NSIT was different to that for other investigators, as one looked for specific expertise. Over and above this, there would be people who would be able to intervene and assist if there was a threat against investigators. The people in the team would be highly trained and specialised. Currently, NSIT would consist of 12 people with a director, deputy and assistant directors. It was expected that the team would grow over the MTEF period.

Ms Kohler Barnard highlighted the large decrease the budget for this core programme. She understood the budget cut issue, but these decreases seemed different, so she requested an explanation. How would the increase in the compensation of employees be spent?

Mr Ramatlakane questioned the targets set over the period of three years, where some of the targets were a fairly crucial part of the work of IPID -- for example, death in custody. Did management really want the Committee to accept that IPID could investigate only 50% of deaths in custody in the current year and over the next three years? This would create a backlog, and how would it be dealt with? This was the core mandate of IPID. Over three years, cases would accumulate – would it be acceptable that the family of victims

would have to wait until there was an accumulation of cases to get answers? How would this even be explained to communities? This trend ran across all the critical functional areas of the Directorate, and he could not accept it or agree to it. The budget should be reworked so that the target for this indicator was 100%.

Mr Sesoko indicated the reality was that IPID could work only within its available resources. The prescript was that targets set must be “smart” and linked to available resources. In strategic planning sessions, IPID had worked on baselines looking at what had been achieved before, what had not been achieved and what could be projected for future achievement. This was the basis on which targets had been set, where the key question was whether the target was achievable, based on available resources.

Mr Ramatlakane interrupted that the Committee could not justify the response being delivered. What personnel and material resources would it take for the target to be 100%? He emphasised that certain functions were more critical to the work of IPID, and death in custody was one of them. Could it really be said in a democratic state that only 50% of deaths in custody could be investigated by IPID? There was simply no answer that could justify this to the people affected by it.

Mr Sesoko said he heard exactly what the Member was saying, and was not trying to justify the target -- he was just trying to provide the background as to how the target had been set. This was a target of a minimum of 50%, and it did not mean that cases received would not receive priority in investigation. At the point of reporting, cases would be decision-ready or already on the court roll. He acknowledged that it was not acceptable to inform a complainant that only so much work could be done and not more. IPID treated each and every complainant as important whether it was death or an assault case. These were minimum targets to meet, for cases to be decision ready when it was time to report. With the different categories of cases, some targets had been increased while some had decreased based on the baseline analysis, as he alluded to earlier. He took the point that ideally it should be 100% for all targets, but this was not achievable. This answer might not be satisfactory. In terms of processes, cases brought to the Directorate needed to be allocated within a certain amount of time, and there was a follow-up on investigations until the conclusion stage. A case would not sit there without being worked on. An SMS system had been developed for there to be continuous communication to victims or complainants on progress with investigations, because investigations, by nature, sometimes took some time to complete.

Mr Ramatlakane wanted to know specifically what it would take to achieve a 100% target in terms of capacity and resources. Death was being discussed here, and it was a matter of inquest if nothing was determined. A responsible institution like IPID needed to give weight to certain cases. He had been given a long explanation with no specific answer. It was simply unacceptable for this situation to be explained to the public.

Mr Sesoko accepted the point of the Member, and said the team would go and work out the exact numbers needed to meet a 100% target. The Committee would be informed accordingly.

Ms Mabija said she had been one of the victims from a delay by pathologists. Her younger brother had died in 2011 and she had been told she would have to wait seven years to get results, so what Mr Ramatlakane was talking about, she felt personally.

Ms Molebatsi asked who determined when a case was trial ready.

Mr Sesoko said it was the provincial head or director of investigation in the province. It was then referred to the Director of Public Prosecutions to make a decision on whether to prosecute or not.

The Chairperson sought more information on oversight over this structure, and the risk of it not having defined rules. The question was, should the money used for the NSIT not be used for reaching 100% of the target of this core function?

Mr Sesoko said the decision taken was based on experience -- for example, with Cato Manor and Marikana -- where investigators were taken from provinces and the specific work done there to work on a special project. This deprived the province of its resources. The whole idea was to have a team which was always available to deal with matters.

Mr Ramatlakane said there could be elasticity of resources in the current structure – a special unit did not need to be created. Would redirection of staff not work better? Special projects were not received every day. It was better to plan for everyday work.

Ms Kohler Barnard asked how many of IPID's investigators were still tied up with the Cato Manor case.

Mr Mbhele asked about the nature of the threats to IPID investigators that NSIT would be intervening with.

Mr Sesoko responded that the Cato Manor case was in the high court. The kinds of threats against investigators varied. For example, in the Cato Manor case, there had been threats against the lives of investigators, and crime intelligence of SAPS had been needed to support and protect IPID investigators. There had been difficulty in getting this protection and at times it had not come immediately. The idea was to avoid this by developing an own capacity if such threats occurred.

Mr Maake asked how the exact targeted numbers for “decision ready investigations” had been reached. He clearly understood the use of percentages as determinants of targets, but he did not understand how the numbers had been reached. He had heard there were not enough state pathologists, so he did not understand the targets when there was this problem. Could IPID not have its own fulltime pathologists without “piggy-backing” on the Department of Health? It was difficult to establish projects when the Directorate depended on the Department of Health.

Mr Sesoko said the numbers were determined, based on baseline projections. On pathology, IPID was looking at having a tender to get the services of a private pathologist on a needs basis, for when government pathologists were not available. In reality, IPID did not wait long for post-mortem reports, but toxicology reports took very long. There was continuous engagement with stakeholders to prioritise cases.

Mr Maake said this was exactly his problem. If numbers were used, one was actually saying that cases of rape by police would increase. This was why he had a problem with numbers – he could accept the use of percentages. The use of numbers did not make sense in this case.

Mr Sesoko appreciated what was said. In previous years, IPID had used only percentages but Treasury had prescribed that percentages had to be quantified with numbers. Without it, the document would be found not to be compliant by Treasury. The numbers were not necessarily exact or scientific, but they were just a projection based on the baseline.

Ms Mabija asked if Treasury had ever been approached on this. If Treasury made regulations that made work unprofessional, why was it just accepted?

The Chairperson asked that these concerns could just be noted. There was nothing that could be done to change the indicators at this stage.

Mr Maake said that what was now happening was that irrationality was being accepted. He understood the need to quantify percentages, but then this quantification needed to be rational. To say there was going to be more deaths or rapes as a result of police action, it meant IPID was not doing its work. The objective was to reduce such crimes, not to project that it would increase – this was irrational. If one gave someone, for example from Sweden, this document, they would say there was something wrong with SA. To project an increase in crime did not make sense.

The Chairperson said this was unfortunately the framework of Treasury, where they wanted to see percentages and figures. All departments needed to comply, and the only way it could be changed was through engagement with Treasury.

Ms Ngcongco said the numerator was the number of decision-ready investigations finalised, where the aim was to increase the number of cases finalised, while the denominator was the workload – even if the workload decreased, the output would increase. IPID wanted to increase the rate at which it would finalise cases in whichever direction the workload moved.

The Chairperson said the objective was still for the efforts of IPID to decrease the upward trend to be successful.

Ms Mmola asked about how many outstanding cases there were, compared to those finalised.

Ms Molebatsi asked how many firearms were in the IPID and who controlled them, if there were any firearm losses and if there were, how many there were. Last month, the Committee had held a very successful firearms summit but surprisingly IPID had sent only two junior officials -- did this mean IPID did not take the issue seriously? Had IPID had full cooperation from top management so far? Skills gaps had been identified by the AG as an issue, so was it being addressed?

Mr Sesoko said he was currently responsible for the firearms in IPID, in terms of the Firearms Control Act. He did not have the exact number of firearms currently in the Directorate, but since the establishment of ICT/IPID, only one firearm had been lost some years back in the ICT environment.

Mr Maake was not sure that IPID should actually inform the Committee about how many firearms it had. It was up to the Chairperson to determine, but he thought it was dangerous.

The Chairperson said the Committee knew how many firearms SAPS had -- it was in the public domain -- so it should know for IPID too. An exception could not be made.

Mr Mbhele indicated that he would also like to know.

Mr Kgamanyane said that with regard to the firearms summit, most of the top managers at the time had been attending the Executive Development Programme (EDP), while the Executive Director had been busy with an engagement in KZN. He had started acting as Executive Director only on the last day of the summit. He had been informed that the Western Cape provincial head (as requested by the Executive Director), Parliamentary liaison officer (PLO) and Deputy Director of Investigations from head office had attended. He assured Members that he was available at any given time in respect of Committee engagements.

The Chairperson asked about the issue of training of investigators and that a comprehensive training programme was needed for when investigators were recruited. What international examples were there? The Committee should be provided with a roadmap of the training programme for investigators. He felt there was not a lot of information on this, considering it was a critical area, and there should be plans in place. Was there any move to have dedicated prosecutors in the NPA to assist IPID? A very interesting submission had been made by the ISS showing that complaints registered with IPID by the public had decreased year on year, but the number of claims against SAPS was increasing. This meant that the public preferred to go the civil litigation route. This presented a danger when the public would rather use other recourse than use the dedicated institution, and this actually pointed to a lack of trust. How would this be addressed in the targets? How would trust be restored in the long term to ensure the community went to IPID as the first recourse?

Mr Sesoko pointed out that when IPID was still the ICD, and looking at the number of complaints received and then one fast-forwarded to the present, the trend showed that the number of complaints were much fewer than when IPID was still the ICD. He attributed this to the fact that legislation (section 28 of the IPID Act) had obliged SAPS to report matters to IPID and this had meant a huge increase in cases. A slight decrease had been seen in the number of complaints laid since the first year of implementation of the IPID Act. One could also compare the number of cases on the court roll, where an increase would correlate with an increase in the number of convictions made by IPID. The extent to which there was public confidence in the work IPID did, related to the extent to which cases sent to IPID were investigated. The reality was that IPID could work only within available resources. With training, IPID was engaging with other countries with which SA had bilateral agreements in respect of law enforcement and investigation. For instance, a donation would be received from the US Embassy over the next week relating to investigative equipment and training. There had also been a recent engagement with the French Embassy for assistance in terms of strengthening the quality of investigations.

Mr Kgamanyane added that with assistance from the NPA, he had encouraged provincial heads to have continuous meetings with this particular stakeholder at the provincial level. As and when there were high profile cases, provincial directors of public prosecutions would be requested to assign an advocate from his/her office to assist investigators with investigation of these particular cases. This happened in some provinces and going forward, this needed to be ensured for all of the provinces. During an investigation, it was easier to do so under the guidance of a prosecutor from the Office of the Director of Public Prosecutions.

Programme 3: Legal Services

Ms Marianne Moroasui, IPID Chief Director: Legal Services, said the programme was to provide overall legal advice, guidance and support, to manage the legal obligations and ensure constitutional, legislative as well as regulatory compliance by the Department. The programme provided support to the Directorate as a whole, and to investigators in particular. The programme was comprised of legal support and administration, litigation advisory services and investigation advisory services. The Committee was then informed of a host of programme performance indicators, and their targets over the medium term.

Programme 4: Compliance Monitoring and Stakeholder Management

Ms Mariaan Geerds, IPID Acting Chief Director: Compliance Monitoring and Stakeholder Management, said the programme was intended to safeguard the principles of cooperative governance and stakeholder management through on-going monitoring and evaluation of the quality of recommendations made to SAPS and the MPS. In addition, there was also reporting on the police service's compliance with reporting obligations in terms of IPID. The programme consisted of compliance monitoring and stakeholder management. The Committee was then taken through the strategic objectives, baseline and strategic targets related to this programme.

Conclusion

Mr Kgamanyane said there was commitment by IPID to fulfilling its mandate, to redefine its focus on investigations for decision-ready cases, to enhance the quality of investigations, to maintain the integrity of cases, to increase the number of cases prosecuted and for systemic corruption to be driven from the national office by the NSIT.

Discussion

Mr Mbhele wanted to know if the expectation for the filling of five vacancies, as noted in the APP, had been met. There had been an engagement between the Committee and SAPS and its entities on 19 November 2014 on the monitoring of compliance with IPID recommendations, and he remembered there had been involved discussion between SAPS and IPID on the difference in the definition of initiation of disciplinary proceedings, as per Section 30 of the IPID Act. He sought an update on progress made with this dialogue to harmonize matters between IPID and SAPS so that both were on the same level in terms of what certain things meant, and their obligations in terms of Section 30.

Ms Moroasui said with the vacancies, within the legal services chief directorate, the chief director had reported for duty, along with two directors on 1 April 2015. A senior legal administration officer had also been appointed, and the only vacant position was for the other senior legal administration officer. The directorate was operating on an almost full staff complement.

Ms Geerdts said many workshops had been held with SAPS and it had been decided that each needed to clean its own house first in terms of internal processes. IPID had gone to assist all the provinces to go through the recommendations to account for all internal documentation. IPID was now at the point of meeting with SAPS again. The strategy had also been changed to not just compare numbers but specific cases, and it was found that this method was much more effective in identifying cases which perhaps had previously slipped through the cracks. It was believed this would actually increase the amount of recommendations, and the figures were already better compared to last year, even though there was room for improvement. There had been a substantial improvement in terms of this relationship.

Mr Maake seemed to remember a presentation where IPID had said some of its recommendations had not been implemented by SAPS, or SAPS had decided to deal with matters internally. Had this issue been resolved? Was there any way IPID could appeal some decisions of SAPS?

Mr Kgamanyane said there had been an improvement in terms of the recommendations, as alluded to in a previous response. There was nothing stopping IPID from requesting the reasons why certain decisions had been taken by SAPS. The provincial commissioner could take a decision on review. The monthly meetings with IPID, the CSP and SAPS assisted in ensuring SAPS accounted in respect of submitted recommendations in that particular month.

Ms Mmola asked why the target for the number of community outreach events conducted per year had decreased remarkably for the 2015/16 financial year when compared to the 2014/15 financial year. Was it because of budgetary constraints?

Ms Geerdts said the number had been decreased. The problem was that there was no specific budget for community outreach and because it was done in the provinces, it was mostly absorbed by programme two. There were also no specific people who did this work in the provinces, so investigators would assist by spreading the word in communities even while they were busy with investigations, to save costs. Even then, extra costs were incurred. An average cost analysis had then been done, and the figure arrived at was in the R600 000's. The cost had not necessarily been set aside, but was piggy-backing off the programme two line-function budgets. The strategy had been changed slightly to make a bigger impact on communities and to focus more on policing forums -- to reach more people with less impact on the budget.

Ms Molebatsi asked if IPID had satellite offices in all provinces.

Mr Kgamanyane answered that there were satellite offices in all provinces.

Mr Ramatlakane thought these two programmes were fairly well laid out in terms of what was aimed for achievement, and he was satisfied. It was important to give compliments where things were going well.

The Chairperson did not see Parliament mentioned as a key stakeholder. At the end of January 2015, in an engagement with IPID, the Committee had made reference to a case referred to them by the Speaker of the National Assembly and the Committee had then referred it to IPID. The Committee had received no communication from IPID on the case, and it was important to get that. When complaints or inquiries were made to SAPS, the Committee received responses in writing the next day from the National Commissioner. Several issues had been referred to IPID and the Committee had received SMSs. What was the strategy in terms of parliamentary stakeholder relations between IPID and the Committee? He was very glad there was now an Acting Parliamentary Liaison Officer (PLO) but this was a major relationship to manage and the Committee required certain undertakings by management on this. IPID needed to up their game, to put it mildly.

Mr Kgamanyane said that he would look into the particular matter which had been referred to IPID by the Committee, and would respond accordingly. In future , all matters referred to IPID by the Committee would be coordinated in the Office of the Executive Director, and there would be a record or register of the particular matters. Detailed reports would also be sent. Going forward, IPID would really cooperate with the Committee with everything at any given time.

Chairperson's Closing Comments

The Chairperson said it was important to look at the targets for IPID’s core business. The Committee would not accept lowered targets as this would not work in the long-term, so there must be a renewed focus. There should also be a focus on the ability to deliver services in terms of the deployment and management of staff in the provinces and critical reporting. IPID had an important role to play, and more success stories needed to be made known. Vital outputs were a signal of a successful organisation, and this assurance was needed in the criminal justice system. There also needed to be more community outreach programmes to highlight the work of the Directorate, and to assure the public that they could go to IPID to report police misconduct. It was vital that the Committee ensured the budget was properly used. There were high risks around machinery and equipment, as circumstances changed over the years. Perhaps there should be further engagement with the Committee on this aspect.

There had been no clear answers on the NSIT and the Committee appealed that the core business of the organisation must be investigated at the provincial level – the Directorate needed to rethink about this strategically with the allocated money. Gender representation at top management being 50/50 was excellent, and welcomed by the Committee but there were still questions around training and the lack of a proper document setting out the long term strategy for training. Courses and assistance here and there was inadequate when the key focus was on staff prepared to do their jobs.

A strategy to deal with systemic corruption was also needed. IPID was a very important institution – if it performed well and did its job, the Committee would support its work. This was why stability was important, and the Committee called on top management to support the Acting Executive Director for there to be effective performance in the coming financial year. Spending would be regularly monitored by the Committee.

Mr Ramatlakane suggested IPID should respond to his requests to rework the budget and resources in terms of a core functionary target under programme two by the close of business on 28 April. This included more information on the modus operandi of NSIT.

The Chairperson said all the relevant information was needed, because the Committee would be finalising its report to be sent to the National Assembly before it was adopted on 6 May. This would form part of the debate on 15 May. He suggested the information be received by next Wednesday, 29 April.

The meeting was adjourned.

Share this page:

			
---	---	---	---